

REMARKS

Applicant respectfully requests reconsideration. Claims 1-75 were previously pending in this application. By this amendment, Applicant is canceling claims 18-21, 39, 63-66 and 75 without prejudice or disclaimer. Claims 14, 22-24, 31, 34-37, 52-55, 61 and 67-69 have been amended. As a result, claims 1-17, 22-38, 40-62 and 67-74 are pending for examination with claims 1 and 40 being independent claims. Applicant notes that currently pending claims 4, 5, 42 and 43 are withdrawn as being drawn to a nonelected species. Claims 5 and 43 are included although they were not listed by the Examiner on page 2, paragraph 3, of the Office Action. Their inclusion is consistent with Applicant's Supplemental Response mailed on July 17, 2007. Claims 39 and 75, drawn to a nonelected invention are canceled. Applicant expressly reserves the right to pursue any subject matter canceled by this Amendment in this or one or more continuing applications.

No new matter has been added.

Interview Summary

Applicant respectfully thanks Examiner VanderVegt for conducting an interview with Applicant's Assignee's representative and Dr. Stahl, an inventor of the claimed invention. While no final agreement was reached, during the interview, the enablement rejection and possible claim amendments were discussed.

Applicant notes that the participants in the interview, in addition to the Examiner, were Dr. Gregory Stahl, **Janice Vatland** and Daniel Young. Helen Lockhart was not a participant, contrary to the Interview Summary mailed by the United States Patent and Trademark Office on October 29, 2007.

Rejections under 35 U.S.C. §112

The Examiner has rejected claims 1-3, 5-22, 24, 30-36, 38, 40, 41, 43-54 and 56-67 under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the enablement requirement. In particular, the Examiner has alleged that, while the specification is enabling for practice of the

method using anti-MBL antibodies or antigen-binding fragments thereof, the specification does not enable the recitation of "antibody fragment" or of individual CDR regions of an antibody.

Applicant respectfully traverses. However, without conceding the correctness of this rejection and solely in the interest of expediting prosecution, Applicant has amended the claims to recite "antigen-binding fragment" instead of "antibody fragment" where necessary and has canceled claims 18-21 and 63-66. Support for the amendments is provided in the specification, for example, on page 18, lines 10-31. Accordingly, Applicant believes that this rejection is rendered moot. Applicant notes for the record, however, that the recited term "antigen-binding fragment" includes fragments that bind antigen and comprise or consist of one or more CDRs.


Withdrawal of this rejection is respectfully requested.

CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the application in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,



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